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Attorney for Defendant  
ROBERT KIRBY WELLS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROBERT KIRBY WELLS,  
  
Defendant.

Case No. 2:21-cr-0164-WBS

**STIPULATION TO CONTINUE STATUS  
CONFERENCE AND EXCLUDE TIME  
UNDER THE SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

**DATE: June 21, 2022**  
**TIME: 9:00 a.m.**  
**COURT: Hon. William B. Shubb**

Defendant, ROBERT KIRBY WELLS, by and through his  
undersigned counsel, and Plaintiff United States of America, by  
and through its undersigned counsel, hereby stipulate as follows:

1. By previous order, this matter was set for status on  
June 21, 2022, and time was excluded through June 21, 2022  
pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4).

2. By this stipulation, the parties jointly request that  
the Court continue the status conference to August 22, 2022, at  
9:00 a.m. The parties further request that the Court exclude  
time under the Speedy Trial Act from June 21, 2022, through  
August 22, 2022, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv)

1 (Local Code T4).

2 3. The parties stipulate, and request the Court find the  
3 following:

4 a) Defense counsel has received 131,749 pages of  
5 discovery that include, among other things, investigative  
6 reports, financial records, and other business records, as well  
7 as the contents of two email accounts.

8 b) Counsel for defendant, ROBERT KIRBY WELLS,  
9 believes that failure to grant the above-requested continuance  
10 would deny counsel the reasonable time necessary for effective  
11 preparation, taking into account the exercise of due diligence.

12 c) The government does not object to the continuance.

13 d) Based on the above stated findings, the ends of  
14 justice served by continuing the case outweigh the interest of  
15 the public and the defendant in a trial within the original date  
16 prescribed by the Speedy Trial Act.

17 e) For the purpose of computing time under the Speedy  
18 Trial Act, 18 U.S.C. § 3161, et. seq., within which trial must  
19 commence, the time period of June 21, 2022, up to and including,  
20 August 22, 2022, is deemed excludable under 18 U.S.C. §  
21 3161(h)(7)(A), (B)(iv) (Local Code T4), as it results from a  
22 continuance granted by the Court at the defendant's request on  
23 the basis of the Court's finding that the ends of justice served  
24 by taking such action outweigh the best interest of the public  
25 and defendant in a speedy trial.

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1 IT IS SO STIPULATED.

2  
3 DATED: June 15, 2022

Respectfully submitted,

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6 /s/ William J. Portanova  
WILLIAM J. PORTANOVA

7 Attorney for Defendant  
8 ROBERT KIRBY WELLS

9  
10 DATED: June 15, 2022

PHILLIP A. TALBERT  
United States Attorney

11  
12 /s/ Matthew Thuesen

13 MATTHEW THUESEN  
14 Assistant United States Attorney

15 **FINDINGS AND ORDER**

16 IT IS SO FOUND AND ORDERED.

17 Dated: June 15, 2022



18 WILLIAM B. SHUBB  
19 UNITED STATES DISTRICT JUDGE  
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